

# The 'Post-Natural' Era? Exploring the Socialization of Natural Disasters and Legal Accountability for Them.

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## Purpose

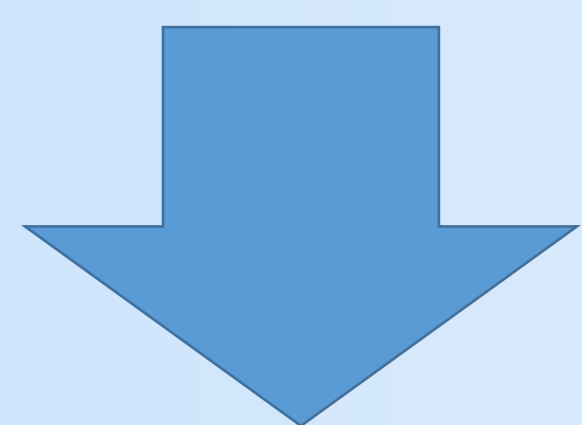
To conduct an in depth critique of the socialization of natural disasters and to explore the legal accountability for them. Disasters occurring in New Zealand and worldwide have been used as case studies to analyse these contexts.

## Abstract

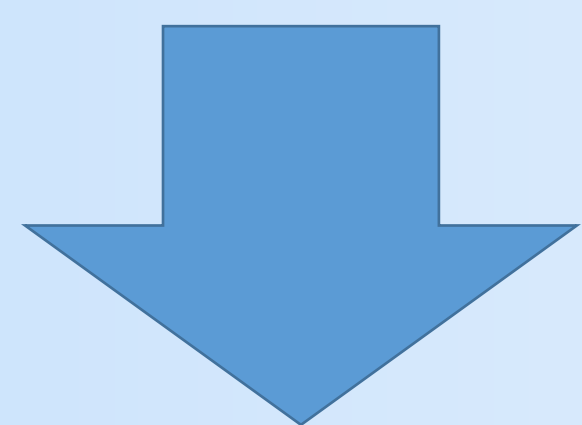
Until relatively recently natural disasters were considered to be acts of God. As our understanding of these events has grown, so to has the finger of blame and the need for someone to be held responsible for death, injury and damage. This work explores the concept of accountability for natural disasters in the modern day. It argues that advancements in scientific understanding and technical resilience against natural phenomena is creating an increasingly blurred line between naturally caused and human-caused disasters. Concepts of vulnerability and injustice are discussed to illustrate the socialised aspect of many modern disasters. International case studies of legal accountability, such as the L'Aquila earthquake and Chilean tsunami, are further used to advance this argument. The western world's rising focus on human rights denotes the need for disaster prevention and response approaches to be human-centric in nature, prioritising individual safety and wellbeing above all else.

## Methodology

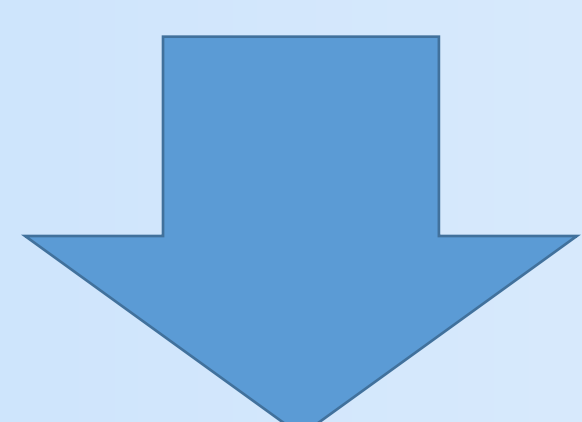
Establish the background and the relevant terminology. In particular the difference between 'emergency' and 'disaster'.



The concepts of socializing disasters, vulnerability and injustice are investigated and explored, by mapping the New Zealand and international disaster case studies where cordons were used as a post-disaster response.



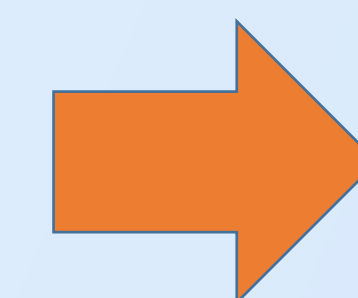
Accountability for natural disasters is mapped through analysis of flooding in Saudi Arabia and Israel, the L'Aquila earthquake and the Chilean Tsunami. A critique of the concepts of "negligence" and "discretion" is undertaken.



All of the concepts analysed throughout the project are then applied to the New Zealand context, in particular, how risk and vulnerability faced by the public can be assessed in regard to an earthquake in Wellington.

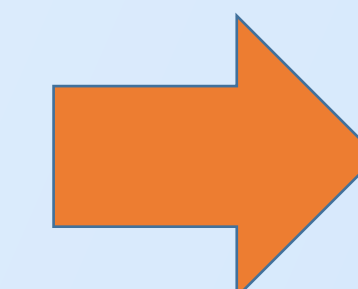
## Areas of focus

Analysis of the concepts surrounding the understanding of natural hazards and potential solutions. These solutions enable us to focus on preparedness in order to minimize the effects of natural disasters and enable communities to better manage emergency situations.



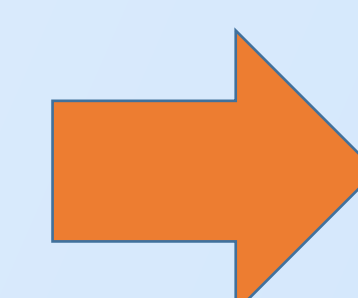
Natural hazards and potential solutions

The idea of a natural disaster being a social happening. This encompasses the topics of vulnerability and injustice.



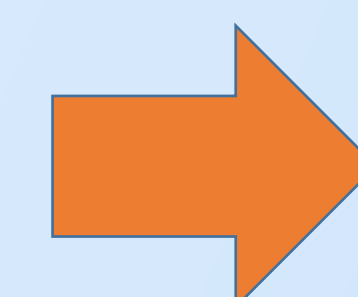
Natural disasters as social happenings

Proposition that vulnerability creates the ability for natural disasters to transpire. Hurricane Katrina and the Grenfell Tower fire, among others, are used as case studies to illustrate this argument.



Concept of vulnerability

A discussion of negligence and the discretion of decision makers follows, to highlight the requirements and difficulty in establishing liability of public authorities for natural disasters.



Negligence and the discretion of decision makers

## Project Outcomes

The areas of focus provide a foundation for the consideration of the potential accountability of public authorities in New Zealand. Using the concept of cordons following the Canterbury and Kaikoura earthquakes, this study questions whether the government or a local authority could be held responsible for damage and loss of life if it decides a cordon should not be established.

Ultimately it is argued that the courts must be more open to challenging the discretionary decisions of authorities in relation to natural disasters. Increased socialization of disasters demands greater attention to preparedness and resilience, and liability should be a natural consequence where gross negligence has created situations of natural disaster injustices.

## Proposed Ideal Model

Understanding disasters as socialised events means examining decisions for potential gross negligence and having the opportunity to hold the decision-makers to account. It may be a difficult challenge, but it is one which holds the greatest chance of shining a light on invisible injuries and injustice.

## Project Contacts

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